

Conflict resolution in Aceh in light of track one and a half diplomacy

Heiling, Robert M.

Veröffentlichungsversion / Published Version
Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:

Heiling, R. M. (2008). Conflict resolution in Aceh in light of track one and a half diplomacy. *ASEAS - Austrian Journal of South-East Asian Studies*, 1(2), 171-186. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-362703>

Nutzungsbedingungen:

Dieser Text wird unter einer CC BY-NC-ND Lizenz (Namensnennung-Nicht-kommerziell-Keine Bearbeitung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:
<https://creativecommons.org/licenses/by-nc-nd/4.0/deed.de>

Terms of use:

This document is made available under a CC BY-NC-ND Licence (Attribution-Non Commercial-NoDerivatives). For more information see:
<https://creativecommons.org/licenses/by-nc-nd/4.0>

Forschungswerkstatt / Research Workshop

Conflict Resolution in Aceh in Light of Track One and a Half Diplomacy

ROBERT M. HEILING¹

University of Vienna, Austria

ASEAS - Österreichische Zeitschrift für Südostasienwissenschaften / Austrian Journal of South-East Asian Studies, 1 (2), 2008

SEAS - Gesellschaft für Südostasienwissenschaften - www.SEAS.at

This paper analyzes the role of mediators in the resolution of the Aceh conflict within the framework of a three-step process. Two separate mediation efforts, one conducted by the Centre for Humanitarian Dialogue from 1999 until 2003 and a second one led by Martti Ahtisaari and his Crisis Management Initiative in 2004/2005, attempted to solve the Aceh conflict. The author shows that beside contextual factors such as ripeness of the conflict and advantageous relations between and characteristics of the conflict parties, the success of Ahtisaari's engagement can be further explained by procedural factors. These include mediator behaviour and mediation strategies. Furthermore the mediator's ability to use contacts with official track one actors was crucial in securing the signing as well as the implementation of the present peace agreement.

Keywords: Conflict Resolution, Mediation, Track 1.5, Aceh, Indonesia

Der Artikel analysiert die Rolle von Mediatoren in der Lösung des Aceh Konflikts mittels eines drei-Phasen Modells von Konfliktlösung. Zwei voneinander unabhängige Mediationsverfahren, jenes des Centre for Humanitarian Dialogue von 1999 bis 2003, und ein weiteres geleitet durch Martti Ahtisaari und seiner Crisis Management Initiative in 2004/2005, zielten darauf ab den Konflikt zu lösen. Der Autor zeigt, dass neben kontextuellen Faktoren wie einer "ripeness" des Konflikts sowie günstigen Veränderungen auf Seite der Konfliktparteien, prozedurale Faktoren für den Erfolg Ahtisaaris entscheidend waren. Diese Faktoren beziehen sich auf das Agieren und die Strategien des Mediators. Die Fähigkeit des Mediators, Kontakte zu offiziellen "track one" Akteuren aktiv während des Mediationsprozesses zu nutzen, bildete einen Schlüsselfaktor darin einen Friedensschluss und im weiteren Verlauf eine weitgehend erfolgreiche Umsetzung des aktuellen Abkommens zwischen den ehemaligen Konfliktparteien zu erreichen.

Schlagworte: Konfliktlösung, Mediation, Track 1.5, Aceh, Indonesien

¹ Robert M. Heiling is currently a Magister candidate at the University of Vienna. The present article is based on findings of his diploma thesis, titled "Track One and a Half Diplomacy in Aceh", which deals with mediation efforts in the Aceh conflict. Robert M. Heiling is expected to finish his Magister studies in early 2009.

Introduction

This paper seeks to outline and analyze the contribution of mediation processes to the resolution of the Aceh conflict. Despite the fact that a few researchers have already dealt with various aspects of the resolution of this longstanding conflict, the author believes that there has not been enough attention paid to all stages of conflict resolution as a whole. Therefore the author intends to elaborate on the periods of pre-negotiation, negotiation, and the stage of implementation. The author also believes that the concept of track one and a half diplomacy presents a particularly useful concept to describe the role of mediators in the resolution of the Aceh conflict. This concept helps in highlighting qualities of this process of conflict resolution that have been neglected in previous analyses.

After a brief elaboration on the historical roots of the conflict, the author will compare two separate mediation initiatives which took place in Aceh by drawing on the subsequent stages of a conflict resolution process. Among others, Walter (2002) has pictured conflict resolution as a three-step process. According to this view on conflict resolution, it is particularly important to include the stages of reaching an agreement as well as its following implementation when analyzing conflict resolution alongside the conflict parties' decision to start or participate in negotiations.

Theories on mediation and conflict resolution shall be applied to these stages of conflict resolution. Looking at the pre-negotiation stage, these shall be theories on the timing of mediation (ripeness), as well as on characteristics of conflict parties. During the following stage of negotiation, ideas on mediation strategies will be considered. At this point the procedural factors of mediation - the behaviour and characteristics of the involved mediators - in contrast to contextual factors like the ripeness of conflict, shall be analyzed. Finally the author will look at the characteristics of the two mediation initiatives as processes of track one and a half diplomacy.

The paper concludes that besides contextual factors, like a ripe moment as well as advantageous developments on the side of the conflict parties, procedural factors, in the shape of mediator activity, played a major role in bringing about peace in Aceh. Alongside an efficient mediation strategy, Martti Ahtisaari and CMI's successful involvement can further be explained due to their usage of contacts to official state actors. Thus, the author interprets conflict resolution in Aceh as a track one and a half conflict resolution process. In the course of this process, private, informal non-state actors, as well as official state actors shared responsibility through the course of their engagement

History of an Intractable Conflict

The conflict of Aceh is a long-time secessionist conflict, fought between the Free Aceh Movement, commonly referred to as GAM², and the Indonesian state, over the independence of the north-most Sumatran province of Aceh. The root causes for the conflict date back to Dutch colonial rule in Indonesia. Unlike other regions in Indonesia, which gradually became part of the Dutch East Indies from the early 17th century on, Aceh remained an independent Sultanate with substantial regional influence until late 19th century. The territory was incorporated into the Dutch East Indies through the Netherlands' most violent and costly war in Dutch colonial history, and violence in Aceh remained at a high level for the duration of Dutch rule (Reid 2006). Nevertheless, Aceh played an active and important role in the Indonesian war for independence. Its leaders, however, were alienated by its outcome. The subsequent merger with North Sumatra into a larger province and the set-up of Indonesia as a quasi secular, centralized state caused upheaval and led to the formation of an Acehnese rebellion. Under the leadership of Acehnese governor Daud Bereuh the rebels formally joined the Darul Islam movement of West Java. Its goal was the transformation of Indonesia into a federal Islamic state. The rebellion was soon to be crushed by Jakarta (Aspinall 2006).

Rebellion in Aceh broke out again in 1976 under the banner of GAM, this time fighting not for the transformation of the current national political system of Indonesia, but for complete independence from it. Causes for the rebellion included further increased grievances due to worsened centre-periphery relations between the resource rich province and Jakarta in the context of the even further centralized development regime of Suharto (Kell 1995: 51-59). Since then the movement was led by Tengku Hasan di Tiro, a US-educated businessman and grandson of a well-known Acehnese *ulama*. GAM started as a small guerrilla movement comprised mainly of intellectuals, which was soon to be defeated by the Indonesian military (TNI)³. The movement's leadership fled, forming an exile government in Sweden. In the early 1980s the rebellion broke out again with the help of Libyan trained guerrilla fighters, this time gaining wider support among the population due to repressive actions by the TNI. Again the rebellion was to be defeated officially, only to re-emerge in the late 1990s (Schulze 2004: 4-5). After the fall of Suharto and the steady growth of democratic and free conditions in Indonesia, the frame of the conflict changed significantly. A wide civil society movement emerged in Aceh of which many groups supported GAM in its claim for independence. GAM likewise changed its strategy, calling for a referendum concerning the future of the province,

² Indonesian acronym for *Gerakan Aceh Merdeka*.

³ Indonesian acronym for *Tentara Nasional Indonesia*.

inspired by the recent breakaway of East Timor from Indonesia. GAM adopted the so-called East Timor Blueprint as its main strategy, aiming at gathering support from the international community to pressure Indonesia on Acehese independence. The following years saw a significant increase of GAM control over Aceh as well as the involvement of new political leaders on the Indonesian side (Schulze 2006: 225-244). Renewed outbreak of the conflict led to two sequential but separate international mediation efforts, the first international involvement in the history of the conflict. The two initiatives, both conducted by private non-state actors, differed decisively in approach, style, strategy and, last but not least, outcome. The mediation process of the Centre for Humanitarian Dialogue (HDC)⁴ from 1999 to 2003 achieved only temporary mitigation of the conflict, followed by a backlash of violence. The effort by Martti Ahtisaari and his Crisis Management Initiative (CMI) on the other hand was initiated in 2004 just prior to the occurrence of the Tsunami which devastated Aceh among other regions in the Indian Ocean. This mediation attempt finally led to a comprehensive and lasting peace agreement, the Helsinki Memorandum of Understanding (MoU), which is still in effect today. Although the two mediation efforts can be regarded as one long process, since HDC started a process of internationalisation and because CMI had the advantage of drawing on the experiences of its predecessor, for the purpose of analysis it is fruitful to look at the two efforts as separate processes in a comparative manner.

Moment of Ripeness?

The way the two organisations got involved in the Aceh conflict could not be more diverging. For HDC Aceh was the first case for the young organisation ever to deal with. Its engagement in Aceh thus represented its first step onto the international arena and was based on the conclusion of a fact-finding mission to Indonesia, with the aim of spotting a possible area of involvement⁵ (Huber 2004: 20). Ahtisaari and CMI on the other hand were not actively pursuing involvement in Aceh but were contacted by a Finnish businessman on behalf of the Indonesian government (Kingsbury 2006: 15-21). These decisively divergent methods of involvement can already be seen as an indicator for what was to come. Moreover, the situation on the ground had changed between 1999/2000 and 2004 and thus HDC and CMI faced slightly different conflict environments.

⁴ HDC was founded as “Henry Dunant Centre”, later the organisation adopted the official name of “Centre for Humanitarian Dialogue”. The organisation however is still commonly referred to by the acronym of HDC, which will be used in this paper as well.

⁵ This fact-finding mission took place during the crisis in East Timor and was encouraged by debates over a possible break-up of Indonesia. HDC decided to engage in the Aceh conflict due to an already large number of humanitarian actors involved in East Timor. Furthermore, in comparison to other conflict torn regions like Papua or Maluku, in the case of Aceh the mediator was able to deal with clear representatives on the side of the rebels.

One prominent theory of conflict research focuses on the question of timing for the involvement of a third party in an intractable conflict. Zartman (1991) has brought forward the concept of ripeness, calling for a mediator to recognize the moment of ripeness when starting a mediation initiative. He concludes that a political or military stalemate between conflict parties can constitute such a moment that he labels as mutually hurting stalemate. This originates from the parties' exhaustion; thus, the lifespan of the conflict is decisive as well. One central aspect of a mutually hurting stalemate is that both conflict parties actually perceive their situation as such a stalemate. A mutually hurting stalemate leads to a moment where both conflict parties realize that they cannot achieve their aims through confrontation anymore. As a result the adversaries develop a "conciliatory mentality" in contrast to a "winning mentality" and decide to enter negotiations (Zartman 2000: 226-229). On the characteristics of the conflict parties researchers agree that balanced power relations between them, as well as an internal cohesion of the adversaries, are advantageous contextual factors for mediation of a third party (Bercovitch & Houston 1996: 20-22). As a result of balanced power relations or power symmetry, similar to the idea of a mutually hurting stalemate, conflict parties will not enter negotiations if they perceive themselves to be in a superior, advantageous position. Internal cohesion of conflict parties on the other hand is important to reduce the chance of spoiler activity. The situation prior to HDC involvement in Aceh in 1999/2000 can be interpreted as a military stalemate, yet not as a mutually hurting stalemate as defined by Zartman. Neither of the conflict parties had been able to defeat their adversary militarily, nor had they been able to achieve their political goals through military means. However for GAM maintaining a costly confrontation for Indonesia already meant success in itself and GAM was further encouraged by the emergence of a civil society in Aceh, which supported GAM in its claim for independence (Schulze 2005: 32). Thus GAM did not perceive its situation in 1999/2000 as a stalemate. The Indonesian side on the other hand was marked by retreat, while GAM increased its control over the province (Schulze 2005: 35-36). The picture that evolves is one of a near power symmetry between the two adversaries. The reasons for the conflict parties entering negotiations in 1999/2000 can be found elsewhere. For GAM participating in talks which were mediated by an outside third party meant that it was able to expand its strategy of internationalisation. The negotiations were thus functioning as a tactical interlude, and GAM was not ready to compromise on its main goal of independence (Mortif 2007: 115).

Until 2004 the situation, however, had altered. After the collapse of the HDC brokered cessation of hostilities agreement (COHA) in 2003, the Indonesian side had launched its largest military operation in Aceh with the aim of defeating GAM once and for all. Although not reaching their ultimate goal, the operation had caused severe damage to the military structure of GAM (ICG 2005b: 4-6). In addition to this military aspect, by 2004 GAM found itself isolated

on the international stage - in comparison to 2000 (Mortif 2007: 119). Since the end of the first mediation effort in 2003, the international community withdrew its interest in the Aceh case, while in 2000 Indonesia had been given extensive international attention due to its shaky transition from Suharto rule and the breakaway of East Timor. Thus, the balance of power between the two opponents had shifted between 2000 and 2004 with a grown asymmetry.

While in 2000 the situation was marked by a near symmetry, in 2004 the asymmetry between GAM and the Indonesian side had grown decisively with GAM being in a weaker and defensive position (ICG 2005a: 1-2). Nevertheless, in both cases the conflict parties decided to engage in mediated negotiations. In addition to the new power relations between the two sides, one of the parties had changed in composition and cohesion. GAM remained united throughout both mediation processes, and loyalty to the GAM exile government in Sweden remained intact despite approaches by the Indonesian government to offer honeymoon deals to local GAM military commanders (Mortif 2007: 122). The Indonesian side, however, saw a change in terms of cohesion from 2000 to 2004. Indonesian presidents faced a complex situation in Jakarta, with outspoken opposition to a non-military approach among their own ranks coming especially from TNI. This concerned both President Abdurrahman Wahid, who endorsed HDC-facilitated negotiations with GAM as a means of conflict resolution, as well as his successor Megawati Sukarnoputri, who set an end to the negotiations mediated by HDC by declaring martial law (Aspinall & Crouch 2003: 13). The succeeding government of President Susilo Bambang Yudhoyono (commonly referred to as SBY) however not only understood the necessity of keeping spoiler elements in Jakarta in check, but also succeeded in doing so. By 2004 the control of the government over the Indonesian armed forces had increased. Thus it can be argued that the SBY administration represented a far more unified Indonesian actor than the previous governments (Mietzner 2006: 51).

The situation in 2004 cannot by any means be described as a stalemate between the conflict parties and thus the ripeness model of Zartman of a mutually hurting stalemate does not apply. However the situation in 2004 showed a different kind of ripeness, since both sides developed something close to a conciliatory mentality, which Zartman sees as a necessary element of ripeness. On the GAM side this was caused by its weak military position while on the Indonesian side elements within the government favouring the negotiation option were strengthened by the election of the SBY administration. Even though the Tsunami did not play a role prior to the conflict parties' decisions to enter negotiations (the adversaries actually decided to participate in talks days before the Tsunami occurred) this event certainly added a ripeness to the conflict, which did not exist before. The massive response by the international community by providing relief and reconstruction aid, and the involvement of UN organisations, international NGOs and donor countries, first of all led to an opening-up of the

province. Since the conflict posed a serious threat to relief and reconstruction work, donors and international NGOs were aware that a resolution of the conflict was crucial. Thus this “humanitarian context” put significant pressure on both the Indonesian government as well as on GAM to resolve the conflict (Sukma 2005: 9). Even though this was not the driving force in bringing the conflict parties to the negotiating table, as many commentators stated after the signing of the MoU⁶, this context had a major effect during the stage of negotiations by urging the conflict parties to take the upcoming negotiations seriously.

Both in 1999/2000 and in 2004 the international situation was favourable for mediation efforts. Before 1998 criticism against Jakarta’s Aceh policy only came from human rights organisations, whereas the international community remained indifferent about the conflict. Yet with the fall of Suharto and the East Timor crisis, international attention shifted to Aceh (Heiduk 2006: 21). This resulted in support for the HDC-facilitated mediation by several countries, in particular the United States. Since the early 1990s US-Indonesian relations were strained by US Congressional restrictions on military cooperation, due to human rights violations committed by TNI (Sukma 2006: 225). However after 9/11 the US gradually began to re-establish military ties with Indonesia. Indonesia became a major ally in the war on terror and the US thus asserted less pressure on the government to resolve the Aceh case peacefully (Martin 2006: 86-88). After the COHA agreement failed the international community again withdrew interest in Aceh. Yet with the occurrence of the Tsunami at the end of 2004 international attention nonetheless shifted back to Aceh, preparing the ground for a second mediation attempt (Heiduk 2006: 21).

Negotiations Under Mediator Auspices

Since the concept of ripeness focuses on the timing of mediation entry only, it is necessary to take a closer look at the subsequent stages of conflict resolution. As Zartman himself admits “ripeness is only a condition: it is not self-fulfilling or self-implementing. It must be seized, either directly by the parties or, if not, through persuasion of a mediator” (2000: 227). There exist a large number of definitions for the term “mediation”. A general definition by Bercovitch describes mediation as “a form of conflict management that involves an outsider, or third party, who is not directly a disputant” and further involves “various forms of assistance and facilitation, short of judicial or coercive steps, designed to help parties reach an acceptable outcome” (1991: 3). Writing on the discussion on the controversial question of the need of mediator impartiality, Smith has distinguished between two main types of mediation,

⁶ See for example Time Magazine: The Light that came from Darkness. 01.08.2005.

depending on the variables coercive potential and the mediator's stake in the outcome (1994: 446). Smith is drawing on Fisher and Keashly who distinguished mediation or pure mediation, which basically constitutes a facilitating, rather passive form of mediation, from mediation with muscle or power mediation, where the mediator is using carrots and sticks (1991: 33). Other distinctions among mediation types, for instance by Touval and Zartman (1985) or Kressel and Pruitt (1989), follow similar distinctions, depending on whether mediators try to influence negotiations through less coercive means like the improvement of communication and procedures, or whether mediators use a more directive, power based strategy. The former type can particularly draw on trust and confidence-building measures. Both being non-state actors, the mediation efforts by HDC and CMI belong to the group of less-coercive forms of mediation. HDC's strategy was based on humanitarian aspects, which Griffiths described as "New Humanitarianism" (Martin 2006: 75). The main idea of this strategy was to combine elements of both humanitarian and conflict resolution approaches. This new style of third party intervention is explained best by Griffiths' professional background. Prior to building up HDC, Griffiths had gained experience in various UN organisations such as UNICEF, and in humanitarian NGOs as well as in the British Foreign Service. Griffiths' style as a mediator was further characterised by his attempt of building up a personal relationship with the representatives of the conflict parties (Martin 2006: 85).

As a first step, HDC aimed at reaching a ceasefire, decreasing the violence in Aceh and thus preparing common ground for the political solution of the conflict based on trust-building measures. This approach, however, led way to the exclusion of fundamental political disagreements from the early stages of the mediation process, left only to be addressed at a later occasion. This further caused the two conflict parties to interpret a possible final outcome of the ongoing mediation process according to their own aspirations. While the Indonesian government saw the mediation process as a confirmation of its view of Aceh remaining an integral part of Indonesia, GAM regarded it as a track in the direction of independence (Djalal & Djalal 2006: 70-74). Additionally, it seems that HDC's open, long-term approach, aimed at building trust between the conflict parties, had indeed the opposite effect, providing space for spoilers to act, in particular for groups from both TNI and GAM that benefited from an ongoing conflict. As Mortif points out, the ongoing negotiations from 2000 to 2003 rather "created a legacy of suspicion more than a foundation for enduring peace" (2007: 115).

Besides HDC's humanitarian approach, Griffiths pursued a strategy of empowerment. This strategy, which aims at strengthening the weaker conflict party, is common yet likewise controversial among mediators (Ropers 1995: 20). HDC for instance supported GAM in transferring itself into a political party, and organised meetings for GAM members with politicians abroad (Kay 2003). By doing so HDC was clearly not acting neutral and became

vulnerable to criticism from the Indonesian side. Thus in the long run HDC lost its very legitimacy as a neutral mediator. On the other hand, Ahtisaari and CMI's approach differed significantly from HDC's. Ahtisaari's personal mediation approach was very much characterised by his own professional background, which primarily lies in the Finnish Foreign Service, in the United Nations and in his former capacity as President of Finland. Ahtisaari met the negotiators during talks often with brusque directness, but showed clear preferences for state actors as it became obvious at the start of the negotiations. Also regarding mediation strategy Ahtisaari's approach differed. Instead of preparing the ground for a comprehensive final agreement by first reaching agreements on ceasefire and on cessation of hostilities, Ahtisaari made it clear from the first round of the Helsinki talks that CMI's direction was going the opposite direction. This very approach was marked by Ahtisaari's phrase "nothing is agreed until everything is agreed" (Kingsbury 2006: 26). The negotiations mediated by CMI were not about reducing violence in Aceh alone but were headed toward a complete and final political agreement. Additionally they took place in a rapid fashion and were concluded after only six months. Although the Tsunami of December 2004 had altered the situation in Aceh and made a resolution of the conflict even more urgent - thus putting pressure on both parties - it seems that TNI operations against GAM continued until the Helsinki MoU was signed by both the Indonesian government and GAM in August 2005.⁷

At the beginning of the negotiations it was Ahtisaari asserting pressure on GAM to give up its claim for independence (Kingsbury 2006: 23-27). By doing so, Ahtisaari as a mediator left the sphere of neutrality in the course of his engagement, like Griffiths before. Yet he did not pursue a strategy of empowerment of the weaker party but instead supported Indonesia in its insistence on Aceh remaining an integral part of the country. In a way he exploited the grown asymmetry to keep negotiations on track. At this point the negotiations nearly collapsed. However Ahtisaari did not solely put pressure on GAM to give up its claim for independence but chose flexibility in terms of agenda setting. This allowed GAM to bring forward the concept of "self-government" (Kingsbury 2006: 79-80). By discussing self-government as a political solution for Aceh, the negotiators were able to steer the way between "special autonomy", as initially insisted upon as a precondition by the Indonesian government, as well as GAM's well-known demand for complete independence. In fact, the concept of self-government was to serve as an empty cartridge in which to fill with content only in the course of the negotiations. This allowed GAM to develop a type of autonomy that went beyond the highly sensitive term "special autonomy" without using the actual term (Kingsbury 2006: 31-45). As a result the former win-loose situation, characteristically for secessionist conflicts, was transferred into a win-win situation.

⁷ Confidential Interview, May 2008, Banda Aceh.

Negotiators frequently pointed out that the formula of nothing is agreed until everything is agreed developed its very own dynamic during the negotiations. The negotiating teams frequently put issues aside where no common ground could be found in order to focus on others. Soon the participants realized that on 70 percent of all political issues, compromises had been reached easily. This had the effect that, when negotiations nearly collapsed just prior to the signing ceremony, GAM members agreed that in the face of how much had been achieved in the duration of the talks, it would have been irresponsible to drop the whole effort for just one remaining disagreement.⁸ Moreover, in the case of CMI negotiations, the two conflict parties were engaged in direct talks. These circumstances had the effect of functioning as highly efficient trust building measures during the negotiations. The mediation style of Ahtisaari and CMI differed fundamentally in two further ways from the Griffiths/HDC approach. Ahtisaari had far more substantial influence on the content-related outcome of the negotiations. At many points Ahtisaari refused to discuss issues which were not put on the agenda. On the other hand he is responsible for the inclusion of several other issues. Furthermore, at various occasions in the course of the talks Ahtisaari threatened to leave the negotiations. This was, for instance, the case at the beginning of the negotiations when the question of autonomy vs. independence constituted a major obstacle for the continuation of the talks (Awaluddin 2008). Therefore it can be said, that Ahtisaari showed a much higher degree of coercive potential as well as stake in the outcome as defined by Smith (1994). It can further be argued that in comparison to Griffiths and HDC, Ahtisaari applied directive strategies, whereas the former were limited to communication and procedural strategies. The fact that a private, non-state mediator like Ahtisaari possessed these powers is closely related to a higher political leverage that Ahtisaari brought in.

Implementation of Agreements

It is particularly important to include the stages of reaching an agreement as well as its subsequent implementation when analyzing conflict resolution beside the conflict parties' decision to start or participate in negotiations. Thus, as a third step, conflict parties have to decide for and perhaps be supported in implementing the signed agreements, for instance through security guarantees provided by a third party (Walter 2002). It is the concluding phase of conflict resolution where the weakness of the HDC's and the strengths of the CMI's efforts become especially obvious. When the conflict parties signed the Cessation of Hostilities Agreement in early 2003, HDC transformed itself from a pure mediation organisation into an

⁸ Interview with GAM negotiators Bakhtiar Abdullah and Nur Djuli, May 2008, Banda Aceh.

organisation responsible for implementation and related security issues. Apart from problems deriving from human resource difficulties, the institutions that were built up in accordance with the implementation plan, in particular the Joint Security Committee (JSC), were lacking the enforcing mechanisms to support the implementation of the COHA. Consequently, after more than three years of negotiations and the signing of two ceasefire deals, as well as an agreement which foresaw the starting of a political dialogue, the HDC mediation effort broke down in the end. A structural weakness of the JSC combined with an increasingly powerful role of spoilers within the ranks of the conflict parties caused the collapse (Huber 2004: 30-40). In the case of the Ahtisaari/CMI engagement on the other hand, the mediator was able to commit the European Union (EU) to monitor the implementation of the Helsinki MoU. Among EU member states the question of an eventual European involvement was controversial due to the risky nature of peace processes and because of the minor importance of the Aceh conflict for the EU. "But the 'tsunami effect', the desire for the EU to play a political role, institutional competition and the persuasive power of Ahtisaari translated into new political momentum", says EU policy director Antje Herrberg from CMI (Herrberg 2008). With the quick commissioning of the EU-led Aceh Monitoring Mission (AMM) a vacuum between the signing of the MoU and the implementation of its security-related regulations was avoided. International and local observers agree upon regarding AMM as highly successful, especially concerning its responsibilities on decommissioning and redeployment of GAM and TNI troops. In comparison to the HDC's implementation structures, AMM also provided far stronger institutions and brought in much higher political leverage in this highly sensitive and thus equally important concluding phase of conflict resolution. Furthermore AMM together with CMI functioned as the supreme authority in a case of dispute, unlike in the case of HDC where a final authority was missing. This condition led to the avoidance of deadlocks on disputes between the conflict parties in the stage of implementation (Schulze 2007).

Mediator Involvement as a Process of Track One and a Half Diplomacy

Further distinctions of mediation types focus on the level where mediation takes place, whether among official state or private actors. According to McDonald Joseph Montville coined the term track two diplomacy in 1982 in order to define the latter form.⁹ Track two diplomacy usually refers to an informal approach which aims at dealing with the underlying roots of conflict. Official state diplomacy on the other hand is called track one. Mapendere

⁹ See <http://imtd.org/cgi-bin/imtd.cgi?page=msg> (retrieved on 08.06.2008).

has elaborated on the concept of track one and a half diplomacy¹⁰, which was originally brought forward by Susan A. Naan, describing a mode in between track one, comprised of official actors, and track two diplomacy. He defines track 1.5 diplomacy as “peacemaking activities undertaken by non-political third parties between high political representatives of warring groups, or governments” (Mapendire 2000: 66). Track 1.5 diplomacy is supposed to combine the positive aspects which both track one and track two diplomacy have to offer. In general it is applied by private, unofficial, third party actors who provide connections to the track one level and use these connections in the course of their engagement. According to Mapendire advantages of track 1.5 diplomacy are to be able to “fill the gap between the two tracks” providing “diplomatic agility” and facilitating communication where no communication links exist. Last but not least track 1.5 diplomacy can give leaders an “honourable way out of their problems” since a mediator operating in a track 1.5 sphere brings in prominence and trustworthiness while lacking real political power (Mapendire 2000: 72-73). As an example for an actor, Mapendire mentions the Carter Center, which describes itself as an organisation working in the sphere of track 1.5 diplomacy. However, beside Mapendire’s definition, others see track 1.5 diplomacy as a process that distinguishes itself from track one diplomacy merely by its informal character, not by the type of mediator (see Berghof Foundation for Peace Support 2007). In the course of this analysis, nonetheless, we shall draw on Mapendire’s definition.

The two mediation efforts in Aceh both fit under the label of track 1.5 diplomacy. Both were conducted by a private third actor and both initiatives utilised connections to track one actors during the mediation process. Apart from this common ground, the two efforts differed decisively concerning their usage of track one contacts for the sake of the peace process. HDC certainly had backing from the International Community. Apart from financial support, this became especially obvious through the engagement of prominent outside experts in 2001, the so-called three wise men. The main purpose of their involvement was to give political leverage to HDC, which, as it was becoming more and more obvious, the young organisation was lacking. As Griffiths however admits it was not the organisation itself suggesting the involvement of the three wise men, but the US State Department (Martin 2006: 85-86). Despite the fact that HDC received support by the international community and by the US, this very example shows that it was not HDC making usage of their contacts to the track one level, but the organisation being driven by the interests of a state actor.

Ahtisaari and CMI by contrast were able to use their contacts to official actors actively and at the right moment in time. CMI stayed in close contact with EU representatives from an early stage of the negotiations on. The EU further began to fund the negotiations itself. By bringing in the EU to monitor the implementation of the Helsinki MoU, Ahtisaari secured

¹⁰ Due to practical reasons the notation “track 1.5” will be used in this paper.

an efficient way of providing security guarantees for the conflict parties. By agreeing on an EU led monitoring mission as early as halfway during the talks, the leverage of the mediator himself was strengthened in the process of negotiations. Thus, besides the primary function of AMM to monitor the implementation of the agreement, the prospect of an EU led mission also supported the mediator in the course of the negotiations.

In the case of HDC, a relatively small and inexperienced NGO was responsible for the whole process of conflict resolution: from starting the negotiations to reaching agreements to finally implementing them. In the case of CMI a different kind of (and as it seems the right kind of) actor was in charge at all three stages. During the prelude to negotiations one willing conflict party, the Indonesian government with the support of private citizens was the driving force. The fact that one of the conflict parties initiated the peace talks can be interpreted as a sign of sincerity of this particular actor. The negotiations then were mediated under auspices of an experienced, influential and aspiring private mediator, Ahtisaari and CMI. In light of the dramatic occurrence of the Tsunami, talks mediated by a private and prominent mediator like Ahtisaari presented the perfect opportunity for both conflict parties to solve the conflict without losing face. Besides only an informal actor would have been able provide the discrete environment for talks necessary at this stage of conflict resolution. Finally, implementation of the outcome of the negotiations was monitored by an external regional body, the European Union, being a track one actor and therefore providing capacity, essential political leverage and necessary security guarantees. As the previous attempts by HDC have shown, the involvement of a track one actor at the final period of conflict resolution seems to be a highly precious and most necessary condition for succeeding in implementing a reached peace agreement.

Conclusions

Contextual factors were crucial in preparing the ground for a possible mediation initiative in 2004. On the one hand the conflict showed internal ripeness already prior to the Tsunami, such as governmental change on the Indonesian side. Alongside a grown power asymmetry between the conflict parties that proved favourable for mediation, despite the common assumption that an asymmetry has the opposite effect. On the other hand, by shifting attention of the international community to the conflict after the occurrence of the Tsunami, the conflict showed international ripeness as well. Beside these significant contextual factors however, procedural factors played a major role in successfully reaching an agreement and in implementing it. These procedural factors are comprised of Ahtisaari's successful mediation

style, consisting of the nothing is agreed until everything is agreed formula as well as of applying directive strategies in the course of the negotiation, by asserting pressure on the conflict parties, in particular the weaker one. They are further comprised of Ahtisaari's access to influential track one actors, which were ready to guard the implementation of the agreement reached under CMI mediated negotiations.

Others have already elaborated on implications of the successful resolution of the Aceh conflict. The former AMM head of mission Pieter Feith has pointed to the EU's positive role opening a new dimension of effective European Common Foreign and Security Policy (Feith 2007). Mortif (2007) on the other side has highlighted the implications of the peaceful resolution of the conflict for the process of democratisation in Indonesia. Yet the author believes that the success in Aceh should cause further incitement concerning the role of mediators. Due to its successful outcome, Ahtisaari and CMI's involvement in Aceh, in partnership with other involved third party actors, in particular the European Union, can be regarded as an interesting example of a Track One and a Half Mediation and Implementation Process. Both track one and informal tools have been applied at the right stage of the peace process and thus full use was made of all the advantages which formal and informal diplomacy have to offer. One should elaborate further on the question of whether the partnership concept as conducted successfully in Aceh, between a private organisation like CMI and an official actor like the EU, sharing responsibility in the course of conflict resolution, can be adapted and applied on similar conflicts.

References

- Aspinall, E. (2006). Violence and Identity Formation in Aceh under Indonesian Rule. In A. Reid (Ed.), *Verandah of Violence. The Background to the Aceh Problem*, (pp. 149-177). Singapore/Seattle: Singapore University Press/University of Washington Press.
- Aspinall, E. & Crouch, H. (2003). The Aceh Peace Process: Why it Failed. *Policy Studies* (1), East-West Center. Washington.
- Awaluddin, H. (2008). Why is Peace in Aceh successful? Retrieved Oct 10, 2008, from <http://www.c-r.org/our-work/accord/aceh/success.php>.
- Bercovitch, J. (1991). International Mediation. *Journal of Peace Research* 28 (1) 3-6.
- Bercovitch, J. & Houston, A. (1996). The Study of International Mediation: Theoretical Issues and Empirical Evidence. In J. Bercovitch (Ed.), *Resolving International Conflict. The Theory and Practice of Mediation*, (pp. 11-35). London: Boulder.
- Berghof Foundation for Peace Support (2007). Track 1.5 Approaches to Conflict Management: Assessing Good Practice and Areas for Improvement. 'Lessons Learned' Retreat, Schloss Hueningen, March 4-6,

2007. Protocol. Retrieved Nov 02, 2008, from http://www.berghof-peacesupport.org/publications/Documentation_Hueningen_Retreat.pdf.
- Diamond, L. & McDonald, J. (1996). *Multi-Track Diplomacy: A Systems Approach to Peace*. West Hartford, CT: Kumarian Press.
- Djalal, H. & Djalal, D. S. (2006). *Seeking lasting Peace in Aceh*. Jakarta: Centre for Strategic International Studies.
- Smith, J. D. D. (1994). Mediator Impartiality: Banishing the Chimera. *Journal of Peace Research* 31 (4), 445-450.
- Feith, P. (2007). The Aceh Peace Process. Nothing Less than Success. *Special Report* 184. United States Institute of Peace.
- Fisher, R. J. & Keashly L. (1991). The Potential Complementarity of Mediation and Consultation within a Contingency Model of Third Party Intervention. *Journal of Peace Research* 28 (1), 29-42.
- Heiduk, F. (2006). Conflict Analysis Aceh/Indonesia. *Series of Country-Related Conflict Analyses*. Friedrich-Ebert-Stiftung.
- Herrberg, A. (2008). The Brussels 'backstage' of the Aceh peace process. Retrieved Oct 10, 2008, from <http://www.c-r.org/our-work/accord/aceh/backstage.php>.
- Huber, K. (2004). The HDC in Aceh: Promises and Pitfalls of NGO Mediation and Implementation. *Policy Studies* (9), East-West Center. Washington.
- International Crisis Group (ICG) (2005a). Aceh: A new Chance for Peace. *ICG Asia Briefing* No. 40.
- International Crisis Group (ICG) (2005b). Aceh: So Far, So Good. *ICG Asia Briefing* No. 44.
- Kay, K. (2003). The "New Humanitarianism": The Henry Dunant Center and the Aceh Peace Negotiations. WWS Case Study 02/03. Retrieved Nov 11, 2007, from <http://www.wws.princeton.edu/cases/papers/newhumanit.html>.
- Kell, T. (1995). *The Roots of the Acehese Rebellion, 1989-1992*. Cornell Modern Indonesia Project. Ithaca/New York: Cornell University Press.
- Kingsbury, D. (2006). Peace in Aceh. A Personal Accord of the Helsinki Peace Process. Jakarta/Singapore: Equinox Publishing.
- Kleiboer, M. (1994). Ripeness of Conflict: A Fruitful Notion? *Journal of Peace Research* 31 (1), 109-116.
- Kressel, K. & Pruitt, D. G. (1989). *Mediation Research: The Process and Effectiveness of Third-Party Intervention*. San Francisco: Jossey-Bass.
- Mapendere, J. (2000). Track One and a Half Diplomacy and the Complementarity of Tracks. *Culture of Peace Online Journal*, 2(1), 66-81. Retrieved May 29, 2008, from www.copoj.ca/pdfs/Jeffrey.pdf.
- Martin, H. (2006). *Kings of Peace, Pawns of War. The Untold Story of Peace-Making*. London/New York: Continuum.
- Mietzner, M. (2006). The Politics of Military Reform in Post-Suharto Indonesia. *Policy Studies* (23), East-West Center. Washington.

Mortif, M. (2007). The Road to Helsinki: The Aceh Agreement and Indonesia's Democratic Development. *International Negotiation* 12, 111-143.

Reid, A. (2006). Colonial Transformation: A Bitter Legacy. In A. Reid (Ed.), *Verandah of Violence. The Background to the Aceh Problem*, (pp. 96-108). Singapore/Seattle: Singapore University Press/University of Washington Press.

Ropers, N. (1995). Friedliche Einmischung. Strukturen, Prozesse und Strategien zur konstruktiven Bearbeitung ethno-politischer Konflikte. *Berghof Report* Nr. 1.

Schulze, K. E. (2004). The Free Aceh Movement (GAM): Anatomy of a Separatist Organisation. *Policy Studies* (2), East-West Center. Washington.

Schulze, K. E. (2005). Gerakan Aceh Merdeka: freedom fighters or terrorists? In. *RSC Working Paper* No. 24: Aceh under Martial Law: Conflict, Violence and Displacement. Oxford, 29-44.

Schulze, K. E. (2006). Insurgency and Counter-Insurgency: Strategy and the Aceh Conflict, October 1976-May 2004. In A. Reid (Ed.), *Verandah of Violence. The Background to the Aceh Problem*, (pp. 225-271). Singapore/Seattle: Singapore University Press/University of Washington Press.

Schulze, K. E. (2007). *Mission Not So Impossible. The Aceh Monitoring Mission and Lessons learned for the EU*. International Policy Studies, Friedrich Ebert Stiftung.

Sukma, R. (2005). Resolving the Aceh Conflict: the Helsinki Peace Agreement. *Background Paper* 4a. CSIS Jakarta.

Sukma, R. (2006). Indonesia and the tsunami: responses and foreign policy implications. *Australian Journal of International Affairs* 60 (2), 213-228.

Touval, S. & Zartman W. I. (1985). Introduction: Mediation in Theory. In Touval, S. & Zartman W. I. (Eds.), *International Mediation in Theory and Practice*, (pp. 7-20) Boulder: Westview Press.

Walter, B. (2002). Re-conceptualizing Conflict Resolution as a Three-Stage Process. *International Negotiation* 7, 299-311.

Zartman, W. I. (1991). Conflict reduction. Prevention, management and resolution. In Deng, F. M. & Zartman, W. I. (Eds.), *Conflict Resolution in Africa*, (pp. 299-319). Washington: Brookings Institution.

Zartman, W. I. (2000). Ripeness: The Hurting Stalemate and Beyond. In Stern, P. & Druckman, D. (Eds.), *International Conflict Resolution after the Cold War*, (pp. 225-250). Washington: National Academy Press.